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# ***Public Utilities Commission of the State of California***

*William Ahern, Executive Director*

**Headquarters**

505 Van Ness Avenue  
San Francisco, CA 94102  
(415) 703-2782

**Southern California Office**

320 West 4<sup>th</sup> Street, Suite 500  
Los Angeles, CA 90013  
(213) 576-7000

*Website:* <http://www.cpuc.ca.gov>

*Calendar Archive:* [http://www.cpuc.ca.gov/daily\\_calendar\\_archive/](http://www.cpuc.ca.gov/daily_calendar_archive/)

## **Daily Calendar** **Tuesday, September 23, 2003**

- Commission Meetings
- Notices
- Subscription Information (Daily Calendar and Agenda)
- Commissioner Office Hours
- Public Meetings and Workshops
- Notice of Draft Resolutions (PU Code § 311(g))
- New Filings
- Petitions for Modification and Applications for Rehearing
- Draft Decisions/Proposed Decisions/Alternates/Presiding Officer's Decisions/  
Arbitrator's Reports
- Advice Letter Filings
- Miscellaneous Transportation Items
- Miscellaneous Telecommunication Matters
- Adjournments/Resettings/Hearings Concluded
- Removals from Calendar
- New Settings
- Law and Motion Hearings
- Final Oral Argument
- Hearings
- Notice of Denial of Request for Ex Parte Meeting
- Notice of All-Party Meetings (PU Code §1701.3(c))
- Notice of Ex Parte Communications

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**Commission Decision and Resolution Summaries for the Conference of September 4, 2003, are included in this calendar.**



The Commission's policy is to schedule hearings (meetings, workshops, etc.) in locations that are accessible to people with disabilities. Please see the *Notice to People With Disabilities* section on page two of this Daily Calendar for further information.

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**REGULAR COMMISSION BUSINESS MEETINGS**

October 2, 2003	10 am	San Francisco
October 16, 2003	10 am	San Francisco
October 30, 2003	10 am	San Francisco

**COMMISSION RATESETTING DELIBERATIVE MEETINGS**

(Not Open to the Public)

*Ratesetting Deliberative Meeting dates are reserved as noted but will only be held if there are ratesetting matters to be considered.*

September 29, 2003	1:30 pm	San Francisco
October 10, 2003	1:30 am	San Francisco
October 27, 2003	1:30 am	San Francisco

**OTHER COMMISSION MEETINGS**

NONE

**NOTICE TO PEOPLE WITH DISABILITIES**

The CPUC encourages all Californians to participate in its meetings, hearings, workshops, and proceedings. We try to hold our public meetings only in places that are wheelchair accessible and which can accommodate specialized equipment and other services useful to people with disabilities. Please see the notice of the meeting you wish to attend for more specifics.

If you plan to attend and need specialized accommodations for a particular meeting that are not listed in the notice, request them from the Public Advisor's Office at least three business days in advance of the meeting. Contact the Public Advisor's Office by any one of the following:

- e-mail: [public.advisor@cpuc.ca.gov](mailto:public.advisor@cpuc.ca.gov)  
toll-free: 1-866-849-8390  
Voice: 415-703-2074  
FAX: 415-355-5404 (Attn.: Public Advisor)  
TTY: 1-866-836-7825 (toll-free)  
1-415-703-5282

**NOTICES**

**Delivery of Formal Pleadings for Filing**

Unless otherwise directed, all courier-delivered documents submitted for filing as part of the formal record in a proceeding should be hand-carried directly to the Commission's Docket Office, Room 2001, 505 Van Ness Avenue in San Francisco; Suite 500, 320 West 4<sup>th</sup> Street in Los Angeles; or Room 4006, 1350 Front Street in San Diego. All documents

sent through the mail for formal filing should be addressed ONLY to the Commission's Docket Office, Room 2001, 505 Van Ness Avenue, San Francisco, CA 94102.

**Charge for Commission Documents**

To purchase Commission documents, there is a charge of 20 cents a printed page (postage prepaid) with a minimum purchase of \$2.00.

**Commission Resources Available for Rental**

The auditorium, hearing rooms and training room at the headquarters of the California Public Utilities Commission, located at 505 Van Ness Avenue, San Francisco, are available for rent. Further information about requirements and fees can be obtained by contacting Colette Kondo at (415) 703-1401.

**SUBSCRIPTION INFORMATION**

**Subscription Notice for Draft Agenda Items**

In compliance with Public Utilities Code Section 311.5, parties who wish to subscribe to receive draft agenda items may do so by writing to the Public Utilities Commission; Attention: Poly Arca, Room 1003, 505 Van Ness Avenue, San Francisco, CA 94102, or by calling (415) 703-1798. The cost for a one-year subscription to the entire public agenda package (which excludes Executive Session materials) is \$1,000. You may also order a partial agenda package (energy agenda items only or telecommunication agenda items only) at the cost of \$500 per year. The package you receive via mail will include only those agenda items available at the time of the agenda distribution date, which is usually 10 to 12 days prior to the Commission meeting. If agenda items (including revisions) are not ready on the distribution date, they will be made available at no charge in the lobby outside the Commission Auditorium at 9:00 a.m. on the morning of the Commission meeting, but not earlier.

In addition, the Commission will make draft agenda items available for viewing and photocopying (at 20 cents per page) at the Commission's Central Files Office (Room 2002), 505 Van Ness Avenue, San Francisco, and in the Los Angeles, San Diego, and Sacramento field offices. Since the agenda package will be mailed to these locations, it will be available at these locations a day or two after the distribution date. These locations will not receive agenda items that are not ready on the distribution date.

If an agenda item is held over to a subsequent Commission meeting, that agenda item and any revisions to that agenda item that were available on the morning of the initial Commission meeting (as well as any further available revisions) will be mailed in the Escutia package for the subsequent Commission meeting; the item and its revisions will also be available for viewing and photocopying in the Commission's Central Files Office and field offices as set forth above.

Intervenors who have a financial hardship determination pending or granted shall be eligible to receive draft agenda item packets at no charge.

The cost to receive the agenda only, without copies of draft agenda items, remains at \$75 per year.

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**Subscription Notice for Daily Calendar and/or Agenda**

Parties who wish to subscribe to the Daily Calendar and/or the Agenda may do so by writing to the Public Utilities Commission; Attention: Poly Arca, Room 1003, 505 Van Ness Avenue, San Francisco, CA 94102, or by calling (415) 703-1798. The subscription cost for the Daily Calendar is \$225 per year. The Biweekly Daily Calendar is \$50 per year. The Agenda is \$75 per year. Checks are to be made payable to the Public Utilities Commission.

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**COMMISSIONER OFFICE HOURS**

NONE

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**PUBLIC MEETING & WORKSHOPS**

**Public Workshop Notice – 2-Part Real Time Pricing Workshop**

September 23, 2003  
10 am

California Energy Commission  
1516 Ninth Street, Hearing Room A  
Sacramento

D03-06-032 directs Working Group 2 of the Demand Response rulemaking (R02-06-001) to develop a pilot, pilots or consider other alternatives to test two-part Real Time Pricing (RTP) tariff design features. This will be a kick-off workshop to begin the process of exploring the concept of two-part RTP. Contact: Mike Rosauer at (415) 703-2579 or fly@cpuc.ca.gov.

**Workshop Notice – Renewables Transmission Plans**

September 23, 2003  
10 am – 3 pm

Public Utilities Commission  
505 Van Ness Avenue, Training Room  
(Training room faces Golden Gate Avenue.)  
(Corner of Van Ness and Golden Gate)  
San Francisco

**Electric Transmission OII 00-11-001**

Energy Division Staff will host a workshop to discuss the reports filed on August 29, 2003 by Southern California Edison Company, Pacific Gas and Electric Company, and San Diego Gas and Electric Company, regarding their **Renewable Transmission Plans** to identify additions needed to accommodate the renewable resources identified by the California Energy Commission. Discussion will include comments filed by parties by September 15, 2003. Anyone wishing to make a PowerPoint presentation should notify the Energy Division staff contact for the workshops, Robert Elliott of the Energy Division at

(415) 703-2527 (rae@cpuc.ca.gov) by Friday September 19, 2003. No teleconference access has been established for this meeting. The location is wheelchair accessible.

**Workshop Notice (R03-09-005) Modification of the Rate Case Plan for Class A Water Utility General Rate Applications**

September 24, 2003

1 pm - 4 pm

Public Utilities Commission

505 Van Ness Avenue, Room 3104

San Francisco

September 25, 2003

8.30 am – 11:30 am

Public Utilities Commission

505 Van Ness Avenue, Room 3104

San Francisco

The purpose of the workshop is two fold:

To identify the least controversial issues in the Draft Proposed Rate Case Plan for Class A Water Utility General Rate Applications prepared by the Water Division and; to discuss the necessary components of an interim rate case plan schedule for year 2004.

For your information, the Draft Proposed Rate Case Plan for Class A Water Utility General Rate Applications can be found on the Commission website at <http://www.cpub.ca.gov>. (Go to the "Regulated Areas," select "Water" and scroll down to "Helpful Links.")

Questions regarding the workshop should be addressed to Peter Liu of the Water Division at (415) 703-1390 (ptl@cpuc.ca.gov).

**Public Meeting Notice – Deaf and Disabled Telecommunications Program**

California Relay Service Advisory Committee (CRSAC)

September 26, 2003

10 am – 4 pm

DDTP Office

505 14<sup>th</sup> Street, Suite 400

Oakland

The CRSAC of the Deaf and Disabled Telecommunications Program will hold a meeting to address the following:

**PUBLIC MEETING AGENDA**

I. Routine Business, A. Introductions, B. Agenda Modifications and Approval, C. Public Input, D. Review of Minutes of the Previous Meeting, E. Action Items, F. CRS Report, 1. Data Report, 2. Data Report, 3. Speech-to-Speech Report, G. CRS Contract Manager's Report, H. DDTP Staff Reports, 1. Marketing, 2. Outreach, 3. Consumer Affairs Report, 4. Field Operations, I. Telecommunications Division Report, II. Public Input – Afternoon Session, III. Status of New CRS Contracts, IV. Contract Extensions for Sprint and MCI, V. Discussion on CapTel Trial Program, VI. Introduction of Non-voting Liaisons, VII. Report from CRSAC Representative to TADDAC, VIII. Member Reports, IX. Future Meetings and Locations, X. Adjournment.

**Meeting Information:** For more information, please contact Jane Elin, DDTP Committee Coordinator at (510) 302-1100 x110 voice or (510) 302-1118 TTY.

**Environmental Notice:** People with environmental illness or multiple chemical sensitivities must reduce their exposure in order to attend this meeting. Please refrain from wearing perfumes or scents to DDTP meetings.

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**NOTICE OF DRAFT RESOLUTIONS**  
**(Pursuant to PU Code § 311(g))**

The draft Resolution T16776 granting to INFO LINE of Los Angeles authority to use the 2-1-1 dialing code for health and human services information and referral service in Los Angeles County is available at the Commission's web site:

[http://www.cpuc.ca.gov/PUBLISHED/COMMENT\\_RESOLUTION/29317.htm](http://www.cpuc.ca.gov/PUBLISHED/COMMENT_RESOLUTION/29317.htm).

Contact person: Bob Benjamin @ (415) 703-1069 or [bkb@cpuc.ca.gov](mailto:bkb@cpuc.ca.gov).

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**NOTICE OF RESOLUTION TO DISCLOSE INVESTIGATIVE REPORT**

Draft Resolution Authorizing Disclosure of Commission Consumer Services Division (Utilities Safety Branch) Records Pursuant to General Order 66-C Request by Anthony Hopkins, Esq., on behalf of Keith and Nicolle Cooper, seeking disclosure of Commission staff investigative records relating to an electric shock of Mr. Cooper on March 28, 2001 at 7326 Irwingrove Avenue, Downey, California (Incident No. EIR20010328-01).

A draft resolution (L-304) by the Legal Division authorizing disclosure of the Utilities Safety Branch's investigative report concerning Incident No. EIR20010328-01, is scheduled for consideration on the October 16, 2003 Commission meeting agenda. The Commission may vote on this resolution at that time, or it may postpone a vote. The Commission may adopt all or part of L-304, amend or modify it, or set it aside and prepare a different resolution.

On September 16, 2003, the draft resolution was circulated to the requesting party and the subject utility, Pacific Gas and Electric, pursuant to Public Utilities Code Section 311(g) and Rules 77.7 and 81 of the Commission's Rules of Practice and Procedure. Interested parties may review the draft resolution and service list at the "Currently Open for Comment" section of the Commission's Internet site at [cpuc.ca.gov](http://cpuc.ca.gov).

The Commission will consider the draft resolution at its October 16, 2003 meeting. Interested parties may file comments on the draft resolution, and may file replies to comments. An original and 2 copies of comments must be filed with the Legal Division by October 6, 2003, at the address set forth below. Reply comments must be filed by October 14, 2003. Commenters must also serve comments, and reply comments, on the service list, and send copies of comments and reply comments by electronic mail to the e-mail address below. Comments shall focus on factual, legal or technical error in the draft resolution, and reply comments shall be limited to identifying misrepresentations of law and fact contained in the comments of other parties. (Rule 77.7.) Parties may view comments at the Commission's San Francisco Office.

Jason Reiger  
Legal Division

California Public Utilities Commission

505 Van Ness Avenue, Room 5125

San Francisco, CA 94102

Telephone: (415) 355-5596 E-mail: [jzr@cpuc.ca.gov](mailto:jzr@cpuc.ca.gov)

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**NEW FILINGS**

9/17/03	A03-09-035	San Diego Gas & Electric Company, for authorization to obtain long-term debt capital not to exceed the equivalent of U.S. \$660,000,000, of which not less than \$108,575,000 will be applied to, or used to reimburse its treasury for, the discharge of indebtedness and/or preferred stock; obtain an exemption from the Competitive Bidding Rule; enter into interest rate swaps, caps, collars and/or currency exchange contracts; issue and sell not more than U.S. \$80,000,000 stated value of preferred or preference stock, of which not less than \$76,000,000 will be applied to, or used to reimburse its treasury for, the discharge of indebtedness and/or preferred stock; and take all other necessary related actions.
9/19/03	A03-09-034	Global Touch Telecom, Inc., for registration as an interexchange carrier telephone corporation pursuant to the provisions of Public Utilities Code Section 1013.
9/19/03	A03-09-036	Amcom Communications Corporation, for a certificate of public convenience and necessity to provide limited facilities-based and resold competitive local exchange services, and for intraLATA and interLATA toll authority (non-dominant interexchange carrier) services.

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**PETITIONS FOR MODIFICATION AND APPLICATIONS FOR REHEARING**

9/19/03	R01-05-046	Rulemaking on the Commission's own motion to comply with the mandates of Senate Bill 1712; <b>Application for Rehearing of Decision 03-08-012 by Latino Issues Forum and the Greenlining Institute regarding zero compensation for contributions.</b>
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9/22/03	A01-02-030	Southern California Edison Company, for an Order under Section 701 of the Public Utilities Code Granting to it Authorization to Recover Transmission Revenue Requirement Reclassification Memorandum Account [TRRRMA] Costs; <b>Application for Rehearing of Decision 03-08-062 by Office of Ratepayer Advocates.</b>
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**DRAFT DECISIONS \* PROPOSED DECISIONS \* ALTERNATES \* PRESIDING OFFICER'S DECISION \* ARBITRATOR'S REPORTS**

NONE

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**ADVICE LETTER FILINGS**

NONE

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**MISCELLANEOUS TRANSPORTATION ITEMS**  
**Filings with Consumer Protection and Safety Division**

NONE

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**MISCELLANEOUS TELECOMMUNICATION MATTERS**

NONE

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**TABLE OF SUBMISSION DATES FOR THE PRECEDING TWO WEEKS**

9/17/03	A.02-11-017	Halligan - Application of Pacific Gas and Electric Company for Authority, Among Other Things, To Increase Revenue Requirements for Electric and Gas Service and to Increase Rates and Charges for Gas Service Effective on January 1, 2003. (U 39 M), and
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	I.03-01-012	Halligan – Investigation on the Commission’s Own Motion into the Rates, Operations, Practices, Service and Facilities of Pacific Gas and Electric Company, and
	A.02-09-005 (Phase 1)	Halligan - Application of Pacific Gas and Electric Company Pursuant to Resolution E-3770 for Reimbursement of Costs Associated with Delay in Implementation of PG&E’s New Customer Information System Caused by the 2002 20/20 Customer Rebate Program. (U 39 E).
9/22/03	R.01-10-024	Walwyn - Order Instituting Rulemaking to Establish Policies and Cost Recovery Mechanisms for Generation Procurement and Renewable Resource Development. The issues heard July 21, 2003 – August 18, 2003 are submitted as of September 22, 2003.

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**ADJOURNMENTS \* RESETTINGS \* HEARINGS CONCLUDED**

I.02-04-026	Barnett - Order Instituting Investigation into the ratemaking implications for Pacific Gas and Electric Company (PG&E) pursuant to the Commission’s Alternative Plan for Reorganization under Chapter 11 of the Bankruptcy Code for PG&E, in the United States Bankruptcy Court, Northern District of California, San Francisco Division, In re Pacific Gas and Electric Company, Case No. 01-30923 DM, <b>Evidentiary Hearing held and continued to September 23</b>
A.03-01-013	Simon - Application of the Pasadena Avenue Monterey Road Committee for variance of General Order 143B and authority to explore and enter into negotiations for consideration and implementation pursuant to Public Utilities Code (PUC) §§ 1202, 7604 as a pilot project as permitted by SB 1491, and
A.03-07-049	Simon - Application of the Pasadena Avenue Monterey Road Committee and City of South Pasadena for Variance of General Order 75-C, and
A.03-07-050	Simon - In the Matter of the Application of the City of South Pasadena for Approval of Ordinance 2121

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Relating to Limitations of Train Speeds Pursuant to  
Section 7658 of the California Public Utilities Code,  
**Telephonic Prehearing Conference held and  
concluded**

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**REMOVALS FROM CALENDAR**

**NONE**

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**NEW SETTINGS**

9/30/03	10:00 a.m.	<b>(PHC)</b> - In re Application of WORLDCOM, INC.
ALJ Thomas	A.03-08-016	Pursuant to Public Utilities Code Section 853(b) for
Comr Peevey		Exemption from the Requirements of Sections 851 and
		854 of the Public Utilities Code With Respect to its
		Bankruptcy Reorganizations,
		<b>Commission Courtroom, San Francisco</b>

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**LAW AND MOTION**

Law and Motion Hearings are held before **Administrative Law Judge Sarah R. Thomas and Peter Allen** at 10:00 a.m. in one of the Commission's San Francisco Office Hearing Rooms, unless otherwise noted. Law and Motion procedures are governed by Resolution ALJ 164. Copies of Resolution ALJ 164 are available from the Commission's Documents Desk (415) 703-1713 or from Central Files (415) 703-2045.

9/29/03	10:00 a.m.	NONE SCHEDULED
10/6/03	10:00 a.m.	NONE SCHEDULED
10/13/03	10:00 a.m.	NONE SCHEDULED

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**FINAL ORAL ARGUMENTS (FOA)**

**NONE**

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**HEARINGS**

Dates in parentheses following the word “also” are subject to change without notice. The assigned Commissioner’s name is listed next to the proceedings as matter of record; the assigned Commissioner may not be present at the hearing.

**(PHC) = Prehearing Conference**

**(EH) = Evidentiary Hearing**

**(PPH) = Public Participation Hearing**

**(IAM) = Initial Arbitration Meeting**

**(M) = Mediation**

**(ECP) = Expedited Complaint Procedure**

**(OSC) = Order to Show Cause**

**(WS) = Workshop**

**(FPH) = Full Panel Hearing**

**(AH) = Arbitration Hearing**

**(CA) = Closing Argument**

**(LM) = Law & Motion**

**(OA) = Oral Argument**

9/23/03	9:00 a.m.	<b>(EH)</b> - Order Instituting Investigation into the ratemaking implications for Pacific Gas and Electric Company (PG&E) pursuant to the Commission’s Alternative Plan for Reorganization under Chapter 11 of the Bankruptcy Code for PG&E, in the United States Bankruptcy Court, Northern District of California, San Francisco Division, In re Pacific Gas and Electric Company, Case No. 01-30923 DM, <b>Commission Courtroom, San Francisco</b> <b>(also September 24 – 26)</b>
ALJ Barnett	I.02-04-026	
Comr Peevey		
9/23/03	10:00 a.m.	<b>(PHC)</b> - U.S. TelePacific Corp. (U-5721-C), Complainant, v. Verizon California, Inc. (U-1002-C) Defendant, <b>Commission Courtroom, San Francisco</b>
ALJ Vieth	C.03-06-034	
Comr Peevey		
9/24/03	10:00 a.m.	<b>(EH)</b> - In the Matter of the Application of SAN GABRIEL VALLEY WATER COMPANY (U337W) for Authority to Increase Rates Charged for Water Service in its Fontana Water Company Division to increase revenues by \$11,573,200 or 39.1% in 2003, \$3,078,400 or 7.3% in 2004, \$3,078,400 or 6.8% in 2005, and \$3,079,900 or 6.4% in 2006, <b>Commission Courtroom, San Francisco</b> <b>(also September 25 at 9:00 a.m.)</b>
ALJ Patrick	A.02-11-044	
Comr Peevey		

9/24/03 ALJ Galvin Comr Peevey	10:00 a.m. A.03-06-002	<b>(PHC)</b> - Application of SAN DIEGO GAS & ELECTRIC COMPANY (U 902-E) for: Adoption of its 2003 and 2004 Energy Resource Recovery Account (ERRA) Forecast Revenue Requirements and Related Estimates, Approval of an Allocation Methodology for its 2003 Year-end ERRA Balance, and Approval of its 2003 ERRA Trigger Amount, <b>Commission Courtroom, San Francisco</b>
9/25/03 ALJ DeBerry Comr Lynch	10:00 a.m. R.02-10-001	<b>(EH)</b> - Order Instituting Rulemaking on the Establishment of a Public Purpose Program Surcharge Pursuant to Assembly Bill (AB) 1002, <b>Commission Courtroom, San Francisco (also September 26)</b>
9/26/03 ALJ Long Comr Wood	10:00 a.m. A.02-12-027	<b>(PHC)</b> - Application of SOUTHERN CALIFORNIA GAS COMPANY for authority to update its gas revenue requirement and base rates. (U 904 G), and
	A.02-12-028	<b>(PHC)</b> - Application of SAN DIEGO GAS & ELECTRIC COMPANY for authority to update its gas and electric revenue and base rates. (U 902-M), and
	I.03-03-016	<b>(PHC)</b> - Investigation on the Commission's Own Motion Into the Rates, Operations, Practices, Service and Facilities of Southern California Gas Company and San Diego Gas & Electric Company, <b>Commission Courtroom, San Francisco</b>
9/29/03 ALJ Long Comr Wood	9:00 a.m. A.02-12-027	<b>(EH)</b> - Application of SOUTHERN CALIFORNIA GAS COMPANY for authority to update its gas revenue requirement and base rates. (U 904 G), and
	A.02-12-028	<b>(EH)</b> - Application of SAN DIEGO GAS & ELECTRIC COMPANY for authority to update its gas and electric revenue requirement and base rates. (U 902-M), and

	I.03-03-016	(EH) - Order Instituting Investigation on the Commission's Own Motion into the Rates, Operations, Practices, Service and Facilities of Southern California Gas Company and San Diego Gas & Electric Company, <b>Commission Courtroom, San Francisco</b> <b>(also September 30 – October 3; October 6 – 10; October 14 – 17; and October 20 – 24)</b>
9/29/03 ALJ Thorson Comr Brown	9:00 a.m. - 3:00 p.m. A.03-01-034	(EH) - Application of California Water Service Company (U 60 W) for an Order Authorizing it to increase Rates for Water Service in its Palos Verdes District, and
	A.03-01-035	(EH) - Application of California Water Service Company (U 60 W) for an Order Authorizing it to Increase Rates for Water Service in its Oroville District, and
	A.03-01-036	(EH) - Application of California Water Service Company (U 60 W) for an Order Authorizing it to Increase Rates for Water Service in its Selma District, and
	A.03-01-037	(EH) - Application of California Water Service Company (U 60 W) for an Order Authorizing it to Increase Rates for Water Service in its Dominguez District, <b>Commission Courtroom, San Francisco</b> <b>(also September 30 – October 3)</b>
9/29/03 ALJ Patrick Comr Peevey	10:00 a.m. A.02-11-044	(EH) - In the Matter of the Application of SAN GABRIEL VALLEY WATER COMPANY (U337W) for Authority to Increase Rates Charged for Water Service in its Fontana Water Company Division to increase revenues by \$11,573,200 or 39.1% in 2003, \$3,078,400 or 7.3% in 2004, \$3,078,400 or 6.8% in 2005, and \$3,079,900 or 6.4% in 2006, <b>Fontana City Hall Council Chamber</b> <b>8353 Sierra Avenue</b> <b>Fontana, CA</b> <b>(also September 30 at 9:00 a.m.)</b>

9/29/03 ALJ Walwyn Comr Peevey	10:00 a.m. R.01-10-024	<b>(PHC)</b> - Order Instituting Rulemaking to Establish Policies and Cost Recovery Mechanisms for Generation Procurement and Renewable Resource Development. (PHC on SDG&E Motion/Calpine Issues), <b>Commission Courtroom, San Francisco</b>
9/29/03 ALJ Barnett	12:00 noon C.03-05-027	<b>(ECP)</b> - Marcia K. Houghton and Joe M. Vedda, Complainants, vs. Villa Madeira Park and Joe Mecaro, its manager, Defendant, <b>Escondido Public Library Administration Office Turrentine Room - upstairs 239 South Kalmia Street Escondido, CA</b>
9/30/03 ALJ Thomas Comr Peevey	10:00 a.m. A.03-08-016	<b>(PHC)</b> - In re Application of WORLDCOM, INC. Pursuant to Public Utilities Code Section 853(b) for Exemption from the Requirements of Sections 851 and 854 of the Public Utilities Code With Respect to its Bankruptcy Reorganizations, <b>Commission Courtroom, San Francisco</b>
9/30/03 ALJ Pulsifer Comr Kennedy	10:00 a.m. R.95-04-043	<b>(PHC)</b> - Order Instituting Rulemaking on the Commission's Own Motion into Competition for Local Exchange Service, and
	I.95-04-044	<b>(PHC)</b> - Order Instituting Investigation on the Commission's Own Motion into Competition for Local Exchange Service, <b>Commission Courtroom, San Francisco</b>
10/2/03 ALJ Allen Comr Brown	10:00 a.m. A.00-11-038	<b>(PHC)</b> - Application of Southern California Edison Company (U 338-E) for Authority to Institute a Rate Stabilization Plan with a Rate Increase and End of Rate Freeze Tariffs, and
	A.00-11-056	<b>(PHC)</b> - Emergency Application of Pacific Gas and Electric Company To Adopt a Rate Stabilization Plan, and
	A.00-10-028	<b>(PHC)</b> - Petition of THE UTILITY REFORM NETWORK for Modification of Resolution E-3527, <b>Commission Courtroom, San Francisco</b>

10/7/03 ALJ Patrick	1:00 p.m. C.03-06-004	<b>(ECP)</b> - Nancy Cross, Complainant, vs. Comcast Phone of California, LLC, Defendant, <b>Fremont City Hall – Building A</b> <b>3300 Capitol Avenue, Ohlone Room</b> <b>Fremont, CA</b>
10/8/03 ALJ Brown Comr Brown	10:00 a.m. C.03-07-047	<b>(PHC)</b> - Bruce Anthony and Nancy Ellen von Herrmann, Complainants, vs. Pacific Gas and Electric Company, Defendant, <b>Commission Courtroom, San Francisco</b>
10/8/03 ALJ McKenzie Comr Lynch	10:00 a.m. I.00-03-001	<b>(PHC)</b> – Investigation into the operations and practices of Qwest Communications Corporation, et al. in concerning compliance with Statutes, Commission decisions, and other requirements applicable to the utility’s installation of facilities in California for providing Telecommunications service, <b>Commission Courtroom, San Francisco</b>
10/9/03 ALJ Simon Comr Wood	10:00 a.m. A.02-01-031	<b>(PHC)</b> - Application of the Santa Clara Valley Transportation Authority for an order approving safety appliances to be used at the at-grade crossings of Sunol Street (82D-4.1) and Auzerais Avenue (82D-4.2) by the light rail transit line of the Vasona Light Rail Project in the City of San Jose, County of San Clara, <b>Commission Courtroom, San Francisco</b>
10/9/03 ALJ O’Donnell Comr Brown	10:00 a.m. R.03-03-017	<b>(PHC)</b> - Order Instituting Rulemaking on the Commission’s own Motion to re-examine the underlying issues involved in the submetering discount for mobile home parks and to stay D.01-08-040, and
	I.03-03-018	<b>(PHC)</b> - Order Instituting Investigation on the Commission’s own Motion to re-examine the underlying issues involved in the submetering discount for mobile home parks and to stay D.01-08-040, and
	C.00-01-017	<b>(PHC)</b> - Robert Hambly, for Himself and, On Behalf of the Residents of Los Robles Mobilehome Park, Complainant, vs. Hillsboro Properties, a California Limited Partnership, and the City of Novato, Defendants, <b>Commission Courtroom, San Francisco</b>

10/10/03 ALJ Thorson Comr Brown	10:00 a.m. A.03-01-034	<b>(PHC)</b> - Application of California Water Service Company (U 60 W) for an Order Authorizing it to increase Rates for Water Service in its Palos Verdes District, and
	A.03-01-035	<b>(PHC)</b> - Application of California Water Service Company (U 60 W) for an Order Authorizing it to Increase Rates for Water Service in its Oroville District, and
	A.03-01-036	<b>(PHC)</b> - Application of California Water Service Company (U 60 W) for an Order Authorizing it to Increase Rates for Water Service in its Selma District, and
	A.03-01-037	<b>(PHC)</b> - Application of California Water Service Company (U 60 W) for an Order Authorizing it to Increase Rates for Water Service in its Dominguez District, <b>Commission Courtroom, San Francisco</b>
10/14/03 ALJ Brown Comr Peevey	10:00 a.m. A.03-07-032	<b>(EH)</b> - In the Matter of the Application of SOUTHERN CALIFORNIA EDISON COMPANY (U 338-E) for Approval of a Power Purchase Agreement under PUHCA Section 32(k) Between the Utility and a Wholly-Owned Subsidiary and for Authority to Recover the Costs of Such Power Purchase Agreement in Rates, <b>Commission Courtroom, San Francisco</b> <b>(Also October 15 – 17 and October 20 – 24)</b>
10/15/03 ALJ Grau Comr Brown	10:00 a.m. C.03-05-023	<b>(EH)</b> - Raw Bandwidth Communications, Inc., Complainant, vs. SBC California, Inc. (U-1001-C), SBC Advanced Solutions, Inc. (U-6346-C), and Does 1-10, Defendants, <b>Commission Courtroom, San Francisco</b>
10/16/03 ALJ Thomas Comr Brown	10:00 a.m. C.03-07-031	<b>(PHC)</b> - Pacific Gas and Electric Company (U 39 G), Complainant, v. Calpine Corporation; CPN Pipeline Company; Calpine Energy Services, L.P., Calpine Natural Gas Company; Lodi Gas Storage, LLC; and Does 1-10, Defendants, <b>Commission Courtroom, San Francisco</b>



10/22/03 ALJ Barnett Comr Wood	2:00 p.m. A.02-05-004	<b>(PHC)</b> - Application of Southern California Edison Company (U 338-E) For Authority to, Among Other Things, Increase Its Authorized Revenues For Electric Service in 2003, And to Reflect That Increase in Rates, and
	I.02-06-002 <b>(PHASE 2)</b>	<b>(PHC)</b> - Investigation on the Commission's Own Motion into the Rates, Operations, Practices, Service and Facilities of Southern California Edison Company, <b>Commission Courtroom, San Francisco</b>
10/24/03 ALJ Barnett	10:00 a.m. C.03-09-009	<b>(ECP)</b> - Thomas B. Webb, Complainant, vs. Southern California Edison Company, Defendant, <b>Palm Desert Public Library – Seminar Room 73300 Fred Waring Drive Palm Desert, CA</b>
10/24/03 ALJ Patrick	10:00 a.m. C.03-09-017	<b>(ECP)</b> - Maclyn Erickson, Complaint, vs. Southern California Edison Company, Defendant, <b>Employment Development Department Building Oxnard Office of Appeals Unemployment Hearing Room 3196 South Higuera Street San Luis Obispo, CA</b>
10/24/03 ALJ Barnett	11:00 a.m. C.03-07-041	<b>(ECP)</b> - Martin Lax, Complainant, vs. AT & T Communications of California, Inc., Defendant, <b>Palm Desert Public Library – Seminar Room 73300 Fred Waring Drive Palm Desert, CA</b>
10/27/03 ALJ Thorson Comr Brown	9:00 a.m. – 3:00 p.m. A.03-01-034	<b>(EH)</b> - Application of California Water Service Company (U 60 W) for an Order Authorizing it to increase Rates for Water Service in its Palos Verdes District, and
	A.03-01-035	<b>(EH)</b> - Application of California Water Service Company (U 60 W) for an Order Authorizing it to Increase Rates for Water Service in its Oroville District, and
	A.03-01-036	<b>(EH)</b> - Application of California Water Service Company (U 60 W) for an Order Authorizing it to Increase Rates for Water Service in its Selma District, and

	A.03-01-037	<b>(EH)</b> - Application of California Water Service Company (U 60 W) for an Order Authorizing it to Increase Rates for Water Service in its Dominguez District, <b>Commission Courtroom, San Francisco</b> <b>(also October 28 - 31)</b>
10/27/03 ALJ O'Donnell Comr Peevey	10:00 a.m. A.03-01-016	<b>(EH)</b> - In the Matter of the Application of Epixtar Communications Corp. for Registration as an Interexchange Carrier Telephone Corporation Pursuant to the Provisions of Public Utilities Code Section 1013, <b>Commission Courtroom, San Francisco</b> <b>(also October 28 – 29 at 9:30 a.m.)</b>
10/27/03 ALJ Barnett	1:00 p.m. C.03-06-024	<b>(ECP)</b> - Mark Tzalka, Complainant, vs. Southern California Gas Company, Defendant, <b>Commission Courtroom, State Office Building</b> <b>320 West 4<sup>th</sup> Street, Conference Room A</b> <b>Los Angeles, CA</b>
10/28/03 ALJ Malcolm Comr Peevey	9:30 a.m. R.03-09-007	<b>(PHC and WS)</b> - Order Instituting Rulemaking to Implement Portions of AB 117 Concerning Community Choice Aggregation, <b>Commission Courtroom, San Francisco</b>
10/29/03 ALJ Barnett Comr Wood	10:00 a.m. A.02-05-004	<b>(EH)</b> - Application of Southern California Edison Company (U 338-E) For Authority to, Among Other Things, Increase Its Authorized Revenues For Electric Service in 2003, And to Reflect That Increase in Rates, and
	I.02-06-002 <b>(PHASE 2)</b>	<b>(EH)</b> - Investigation on the Commission's Own Motion into the Rates, Operations, Practices, Service and Facilities of Southern California Edison Company, <b>Commission Courtroom, San Francisco</b> <b>(also October 30 – 31; November 3 – 7;</b> <b>November 10 – 14; and November 17 – 21)</b>

10/29/03 ALJ Walker Comr Kennedy	10:00 a.m. A.02-07-021	<b>(PHC)</b> - In the Matter of the Application of Southern California Water Company (U 133 W) for an Order pursuant to Public Utilities Code Section 851 Approving a Settlement Agreement that will Convey Water Rights in the Culver City Customer Service Area, <b>Commission Courtroom, San Francisco</b>
10/30/03 ALJ Bushey Comr Kennedy	10:30 a.m. C.03-02-003	<b>(PHC)</b> - Oakland Unified School District, Complainant, vs. TCG San Francisco (U-5454-C), and AT&T Communications of California (U-5002-C), Defendants, <b>Commission Courtroom, San Francisco</b>
11/3/03 ALJ McVicar Comr Peevey	10:00 a.m. A.03-03-029	<b>(EH)</b> - In the Matter of the Application of San Diego Gas & Electric Company for Authority to Make Various Electric Rate Design Changes, Close Certain Rates, and Revise Cost Allocation Among Customer Classes Effective, January 1, 2004 (U 902-E), <b>Commission Courtroom, San Francisco (also November 4 – 7; and November 10; November 12 – 14)</b>
11/5/03 ALJ Vieth Comr Wood	2:00 p.m. I.02-06-003	<b>(OA)</b> - Investigation on the Commission's own motion into the operations, practices, and conduct of Pacific Bell Wireless LLC dba Cingular Wireless, U-3060, U-4135 and U-4314, and related entities (collectively "Cingular") to determine whether Cingular has violated the laws, rules and regulations of this State in its sale of cellular telephone equipment and service and its collection of an Early Termination Fee and other penalties from consumers, <b>Commission Courtroom, San Francisco</b>
11/6/03 ALJ Simon Comr Brown	10:00 a.m. C.02-11-011	<b>(PHC)</b> - Telscape Communications, Inc. (U-6589-C), Complainant, vs. Pacific Bell Telephone Company (U-1001-C), Defendant, <b>Commission Courtroom, San Francisco</b>
11/17/03 ALJ Simon Comr Brown	9:00 a.m. C.02-11-011	<b>(EH)</b> - Telscape Communications, Inc. (U-6589-C), Complainant, vs. Pacific Bell Telephone Company (U-1001-C), Defendant, <b>Commission Courtroom, San Francisco (also November 18 - 21)</b>

11/17/03 ALJ McKenzie Comr Wood	10:00 a.m. C.92-04-007	<b>(EH)</b> - Communications Workers of America, Local 9415, Kathleen Kinchius, President, Complainant, vs. Pacific Bell, (U 1001 C), Defendant, <b>Commission Courtroom, San Francisco</b> <b>(also November 18)</b>
11/18/03 ALJ Walker Comr Kennedy	10:00 a.m. A.03-05-039	<b>(EH)</b> - Application for Ex Parte Approval of an Interim Alternative Plan for Protection of the Public Pursuant to General Order 120-C, Sections 3(E) and 6, and
	P.03-05-040	<b>(EH)</b> - Petition to Adopt, Amend, or Repeal a Regulation Pursuant to Pub. Util. Code Section 1708.5, <b>Commission Courtroom, San Francisco</b> <b>(also November 19 – 21)</b>
11/18/03 ALJ TerKeurst Comr Lynch	2:00 p.m. A.02-09-043	<b>(PPH)</b> - In the Matter of the Application of Pacific Gas and Electric Company (U 39 E) for a Certificate of Public Convenience and Necessity Authorizing the Construction of the Jefferson-Martin 230 kV Transmission Project., <b>San Mateo City Hall Council Chamber</b> <b>330 West 20<sup>th</sup> Avenue</b> <b>San Mateo, CA</b>
11/18/03 ALJ TerKeurst Comr Lynch	7:00 p.m. A.02-09-043	<b>(PPH)</b> - In the Matter of the Application of Pacific Gas and Electric Company (U 39 E) for a Certificate of Public Convenience and Necessity Authorizing the Construction of the Jefferson-Martin 230 kV Transmission Project., <b>War Memorial Building</b> <b>San Bruno Recreation Center</b> <b>Meeting Room A/B</b> <b>Crystal Springs Ave @ Oak Ave</b> <b>San Bruno, CA</b>
11/19/03 ALJ Malcolm Comr Peevey	10:00 a.m. R.03-08-018	<b>(PHC)</b> - Order Instituting Rulemaking to Review Policies Concerning Intrastate Carrier Access Charges, <b>Commission Courtroom, San Francisco</b>
11/26/03 ALJ Barnett Comr Wood	2:00 p.m. C.01-01-032	<b>(PHC)</b> - Enron Energy Services, Inc. and Enron Energy Marketing Corp., Complainants, vs. Pacific Gas and Electric Company, Defendant, and

	C.01-01-051	(PHC) - Aps Energy Services Company, Inc., Complainant, vs. Pacific Gas And Electric Company, Defendant, and
	C.01-09-011	(PHC) - Enron Energy Services, Inc. and Enron Energy Marketing Corp., Complainants, vs. Pacific Gas and Electric Company, Defendant, <b>Commission Courtroom, San Francisco</b>
12/4/03 ALJ Terkeurst Comr Lynch	9:00 a.m. A.02-09-043	(EH) - In the Matter of the Application of Pacific Gas and Electric Company (U 39 E) for a Certificate of Public Convenience and Necessity Authorizing the Construction of the Jefferson-Martin 230 kV Transmission Project, <b>Commission Courtroom, San Francisco</b> <b>(also December 5 and December 8 – 10)</b> <b>(Note: December 8 at 10:00 a.m. and the remaining</b> <b>days at 9:00 a.m.)</b>
12/9/03 ALJ Brown Comr Brown	10:00 a.m. A.03-02-027	(EH) - Application of SFPP, LP pursuant to Commission Resolution No. 0-0043 issued October 24, 2002, <b>Commission Courtroom, San Francisco</b> <b>(also December 10 - 12)</b>
1/12/04 ALJ Fukutome Comr Lynch	10:00 a.m. A.03-05-035	(EH) - In the Matter of the Application of SAN JOSE WATER COMPANY (U 168 W) for an Order authorizing it to increase rates charged for water service by \$25,793,000 or 18.20% in 2004; by \$5,434,000 or 3.24% in 2005; and by \$5,210,000 or 3.01% in 2006, <b>Commission Courtroom, San Francisco</b> <b>(Also January 13 - 16)</b>
1/12/04 ALJ Walker Comr Brown	4:00 p.m. & 7:00 p.m. A.01-10-047	(PPH) - In the Matter of the Application of the City of Oxnard for Authorization to construct Camino Del Sol, a public street, across the railroad tracks of the Union Pacific Railroad Company in the City of Oxnard, County of Ventura, <b>Oxnard City Hall Council Chamber</b> <b>305 West 3<sup>rd</sup> Street</b> <b>Oxnard, CA</b>

1/13/04 ALJ Walker Comr Brown	9:00 a.m. A.01-10-047	(EH) - In the Matter of the Application of the City of Oxnard for Authorization to construct Camino Del Sol, a public street, across the railroad tracks of the Union Pacific Railroad Company in the City of Oxnard, County of Ventura, <b>Oxnard City Hall Council Chamber</b> <b>305 West 3<sup>rd</sup> Street</b> <b>Oxnard, CA</b> <b>(also January 14 - 16)</b>
1/26/04 ALJ Simon Comr Kennedy	9:00 a.m. A.03-01-013	(EH) - Application of the Pasadena Avenue Monterey Road Committee for variance of General Order 143B and authority to explore and enter into negotiations for consideration and implementation pursuant to Public Utilities Code (PUC) §§ 1202, 7604 as a pilot project as permitted by SB 1491, <b>Commission Courtroom, San Francisco</b> <b>(also January 27 - 30)</b>
2/9/04 ALJ Malcolm Comr Lynch	10:00 a.m. A.03-07-036	(EH) - In the Matter of the Application of California American Water Company (U 210 W) for an order authorizing it to increase its rates for water service in its Los Angeles Division to increase revenues by \$1,354,500 or 7.56% in the year 2004, \$842,100 or 4.86% in the year 2005, and \$1,052,000 or 5.22% in 2006, <b>Commission Courtroom, San Francisco</b> <b>(Also February 10 – 11 and February 23 – 24)</b>
2/23/04 ALJ Duda Comr Peevey	9:30 a.m. R.93-04-003	(EH) - Rulemaking on the Commission's Own Motion to Govern Open Access to Bottleneck Services and Establish A Framework for Network Architecture Development of Dominant Carrier Networks, and
	I.93-04-002 <b>(Verizon</b> <b>UNE Phase)</b>	(EH) - Investigation on the Commission's Own Motion into Open Access and Network Architecture Development of Dominant Carrier Networks, <b>Commission Courtroom, San Francisco</b> <b>(also February 24 – 27)</b>

2/23/04	10:00 a.m.	<b>(EH)</b> - The Utility Consumers' Action Network (UCAN), Complainant, v. Pacific Bell Telephone Company, AOL-Time Warner, Inc., Does 1-100, Defendants, <b>Commission Courtroom, San Francisco (also February 24 – 27)</b>
ALJ Walker	C.02-07-044	
Comr Brown		
3/1/04	10:00 a.m.	<b>(EH)</b> - Order Instituting Investigation into the Gas Market Activities of Southern California Gas Company, San Diego Gas and Electric, Southwest Gas, Pacific Gas and Electric, and Southern California Edison and their impact on the Gas Price Spikes experienced at the California Border from March 2000 through May 2001, and
ALJ TerKeurst	I.02-11-040	
Comr Lynch		
	I.03-02-033	<b>(EH)</b> - Order Instituting Investigation Whether San Diego Gas & Electric Company, Southern California Gas Company and Their Holding Company, Sempra Energy, Respondents, Have Complied With Relevant Statutes and Commission Decisions, Pertaining to Respondents' Holding Company Systems and Affiliate Activities, <b>Commission Courtroom, San Francisco (also March 2 – 5; March 8 – 12; March 15 – 19; and March 22 - 26)</b>

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**DECISION SUMMARIES**

D03-09-001 09/04/2003	A.00-10-008	SAN DIEGO GAS & ELECTRICITY COMPANY application in the third annual transition cost proceeding addressing (1) the transition cost balancing account (TCBA), and (2) the reasonableness of San Diego Gas & Electric Company's energy procurement practices. <b>Approves SDG&amp;E's entries to its Transition Cost Balancing Account for the record for July 1, 1999 through August 31, 2000 as set forth. This proceeding is closed.</b>
D03-09-002 09/04/2003	R.02-11-039	PUC - SDG&E, Edison et al. Rulemaking to implement the provisions of Public Utilities Code Section 761.3 enacted by Chapter 19 of the 2001-02 Second Extraordinary Legislative

Session. **Adds additional public utilities, electrical corporations, and owners and operators of divested electric generating plant to this proceeding. Corrections or changes should be sought by motion filed and served within 10 days of the date of the decision. Responses are due 5 days after any such motion is filed.**

D03-09-003 09/04/2003	A.92-07-054 A.03-02-017	MICKEY'S SPACE SHIP SHUTTLE to modify its fare structure and establish a zone of rate freedom for passenger stage service between certain points of Orange County on one hand and LAX and SNA on the other hand. <b>A03-02-017 for a zone of rate freedom is dismissed. Petition for modification of D00-06-073 to extend the time for commencing service is dismissed, and all other relief sought by the petition for modification is denied. This proceeding is closed.</b>
D03-09-004 09/04/2003	C.03-02-012	STEPHAN, DAVID vs. AT&T Broadband, for improper services and defective equipment. <b>Dismissed. This proceeding is closed.</b>
D03-09-005 09/04/2003	R.00-02-005	PUC-TELEPHONE TRAFFIC/INTERNET SERVICE Order Instituting Rulemaking on the Commission's own motion into reciprocal compensation for telephone traffic transmitted to Internet services providers modems. <b>Issues regarding small local exchange carriers' compensation for disparately rated and routed calls are transferred to the local competition proceeding (R95-04-043/I95-04-044). This proceeding is closed.</b>
D03-09-006 09/04/2003	A.03-04-029	SOUTHERN CALIFORNIA EDISON COMPANY (U 338-E) for authority to lease available land on two sites located on the Gould-Mesa Transmission right of way to Park Edison. <b>Grants application of SCE to lease available land on the Gould-Mesa transmission right of way to Park Edison. This proceeding is closed.</b>



D03-09-007 09/04/2003	A.03-05-032	PACIFIC GAS AND ELECTRIC COMPANY (U 39-M), for authorization pursuant to Public Utilities Code Section 851 to Approve an existing Lease and Proposed Lease Amendment with Johns Manville to allow it to upgrade its existing electrical system. <b>Grants application of PG&amp;E to amend an existing lease to Johns Manville. This proceeding is closed.</b>
D03-09-008 09/04/2003	A.00-03-062	SAN DIEGO GAS & ELECTRIC COMPANY for review of its market indexed capital adjustment mechanism (MICAM). <b>Approves the amended settlement agreement between SDG&amp;E, ORA and Federal Executive Agencies of the United States. This proceeding is closed.</b>
D03-09-009 09/04/2003	C.01-07-027	CALIFORNIA ISP ASSOCIATION, INC. vs. Pacific Bell Telephone Company and SBC Advanced Solutions, Inc., to enjoin the defendants from illegally discriminating against and refusing to provide Internet service providers with reasonable and adequate digital subscriber line transport services. <b>Approves the revised settlement agreement. This complaint is dismissed with prejudice. This proceeding is closed.</b>
D03-09-010 09/04/2003	A.02-04-047	SOUTHERN CALIFORNIA EDISON COMPANY (U 338-E), for Authority to Lease available land on the West Lugo-Mira Loma Transmission Right of Way to Bernard R. Critchfield, Sr. and Arlene B. Critchfield. <b>Authorizes SCE to lease to Bernard R. Critchfield, Sr. and Arleen B. Critchfield a six acre site on SCE's West Lugo-Mira Loma transmission right of way in the City of Rancho Cucamonga, as set forth. This proceeding is closed.</b>
D03-09-011 09/04/2003	A.03-02-021	BAK COMMUNICATIONS LLC for a Certificate of Public Convenience and Necessity to provide Limited Facilities-Based

		and Resale Competitive Local Exchange Services within the California service areas of Pacific Bell and Verizon California, Inc. <b>Granted as set forth. This proceeding is closed.</b>
D03-09-012 09/04/2003	R.03-07-007	PUC Order Instituting Rulemaking on the Commission's Own Motion for the purpose of Amending the Commission's Conflict of Interest Code. <b>R03-07-007 is amended to include additional proposed changes to the Commission's Conflict of Interest Code, as set forth.</b>
D03-09-013 09/04/2003	A.03-01-022	CALAVERAS TELEPHONE COMPANY for an Order authorizing it to issue notes in an amount not exceeding \$7,006,750.00 and to execute a related agreement and supplemental security instruments. <b>Granted as set forth. This proceeding is closed.</b>
D03-09-014 09/04/2003	A.03-08-001	HARBOR BAY MARITIME, INC. for rate relief and a general passenger fare increase on its Vessel Common Carrier Service on San Francisco Bay between the Harbor Bay Ferry Terminals in Alameda and authorized points in San Francisco. <b>Granted as set forth. This proceeding is closed.</b>
D03-09-015 09/04/2003	A.01-12-042 A.01-12-050	SOUTHERN CALIFORNIA GAS COMPANY (U 904-G), for Modification or Clarification of Resolution G-3304. <b>The applications of Southern California Gas Company and Tenby, Inc. to clarify Resolution G-3304 are granted as discussed in the decision, and all other relief sought in the applications are denied. These proceedings are closed. (Comr. Brown dissents).</b>
D03-09-016 09/04/2003	A.98-07-003	PACIFIC GAS AND ELECTRIC COMPANY for verification, consolidation, and approval of costs and revenues in the Transition Revenue Account. <b>Grants Southern California Edison Company's petition to</b>

**modify D02-07-032.**

D03-09-017 09/04/2003	A.00-11-038 A.00-11-056 A.00-10-028	THE UTILITY REFORM NETWORK for modification of Resolution E-3527. <b>Applications for Rehearing due 9/15/03. Directs PG&amp;E to remit to DWR the Commission-approved charge for all of the energy that DWR supplied to meet PG&amp;E'S retail load, etc. Grants DWR's request to modify D02-05-048 and D02-12-072 as set forth.</b>
D03-09-018 09/04/2003	A.00-11-038 A.00-11-056 A.00-10-028	THE UTILITY REFORM NETWORK for modification of Resolution E-3527. <b>Allocates a \$1.002 billion reduction in the 2003 revenue requirement of the California Department of Water Resources, and returns the money to ratepayers via a one-time bill credit as set forth.</b>
D03-09-019 09/04/2003	A.03-08-008	SIERRAPINE, LTD. for waiver of collection of Direct Access Cost Responsibility Surcharge for its Rocklin Facility. <b>Grants application for waiver of surcharge. This proceeding is closed.</b>
D03-09-020 09/04/2003	I.02-07-015	PUC - PACIFIC GAS & ELECTRIC COMPANY Order Instituting Investigation of Pacific Gas and Electric Company to issue, sell and deliver common stock and one or more series of its first and refunding mortgage bonds, debentures, subordinated deferrable interest debentures, promissory notes and/or other evidences of indebtedness in connection with a confirmed plan of reorganization under Chapter 11 of the Bankruptcy Code, the total aggregate principal amount of such issuances and guarantees not to exceed \$6.5 billion; enter into one or mo <b>Grants authority for PG&amp;E to enter into interest rate hedges to mitigate costs of financing PG&amp;E's emergence from bankruptcy. It requires PG&amp;E to have the concurrence of the Commission's bankruptcy Finance Team before entering into hedges. This</b>

**proceeding is closed. (Comr. Lynch reserves the right to file a concurrence. Comr. Wood reserves the right to file a concurrence or join Comr. Lynch's concurrence).**

D03-09-021 09/04/2003	A.01-09-062 A.01-09-063 A.01-09-064 A.01-09-065 A.01-09-066 A.01-09-067 A.01-09-068 A.01-09-069 A.01-09-070 A.01-09-071 A.01-09-072 A.01-09-073 A.01-09-074	<p>CALIFORNIA WATER SERVICE COMPANY (U 60 W), a corporation, for an order authorizing it to increase rates charged for water service in the Westlake district by \$1,017,700 or 14.0% in the year 2002; by \$225,800 or 2.7% in the year 2003; by \$221,100 or 2.6% in the year 2004; and by \$222,900 or 2.5% in the year 2005. <b>Authorizes California Water Service Company to increase rates in various operating districts as set forth. The Salinas application 01-09-071 is removed from this proceeding.</b></p>
D03-09-022 09/04/2003	A.97-03-052	<p>CALIFORNIA-AMERICAN WATER COMPANY for a certificate that the present and future public convenience and necessity requires applicant to construct and operate the 24,000 acre foot Carmel River Dam and Reservoir in the Monterey Division and to recover all present and future costs in connection therewith in rates. <b>Resolves motions by California-American Water Company regarding designation of lead agency and ratemaking issues. A97-03-052 is dismissed without prejudice.</b></p>
D03-09-023 09/04/2003	A.02-05-065	<p>CITY OF RICHMOND for an Order preserving the wigwag warning devices at the Richmond Avenue Crossing in the City of Richmond, Contra Costa County, California. <b>Denies the request of the City of Richmond to prevent removal of the wigwag warning devices at the Richmond Avenue crossing by Burlington Northern Santa Fe Railroad Company. Authorizes BNSF to install automatic gate type warning devices and constant time warning device circuitry at</b></p>

**the Crossing. This proceeding is closed.  
(Comrs. Wood and Lynch dissent).**

D03-09-024 09/04/2003	C.02-05-015	(ECP) - SHING, ELLEN vs. Pacific Bell Telephone Company, for an Order that defendant credit to complainant's account the sum of \$435.42. <b>SBC's application for rehearing of D03-04-012, as modified, is denied. This proceeding is closed.</b>
D03-09-025 09/04/2003	C.02-04-043	(ECP) - KLEIN, MICHAEL vs. Pacific Bell, for an order that defendant credit to complainant's account the sum of \$389.70. <b>Modifies Decision 03-04-013 and denies rehearing of decision, as modified. This proceeding is closed.</b>
D03-09-026 09/04/2003	C.01-12-044	(ECP) - RYCERSKI, ROBERT vs. Pacific Bell Telephone Company, for an order that defendant credit to complainant's account the sum of \$314.87 and that the Commission release to complainant an identical sum he has on deposit. <b>Modifies Decision 03-04-014 and denies rehearing of decision, as modified. This proceeding is closed.</b>
D03-09-027 09/04/2003	R.02-01-011	PUC Order Instituting Rulemaking regarding the implementation of the suspension of direct access pursuant to Assembly Bill 1X and Decision 01-09-060. <b>Denies rehearing and request for clarification of Decision 03-01-078. (Comr. Lynch dissents).</b>
D03-09-028 09/04/2003	C.01-03-001	ABAG PUBLICLY OWNED ENERGY RESOURCES vs. Pacific Gas and Electric Company (1) for an order requiring PG&E to remit payment to Complainant for an amount which equates to all negative charges, with associated interest, which are due and owing on the date of a Commission decision on this Complaint; (2) for an order by the Commission that PG&E is to cease and desist from further non-compliance with the terms and conditions of the ESP Service Agreement, PG&E's Commission-approved tariffs and the

lawful order of the Commission; and (3) for such other and further relief the Commission deems just and proper. **Dismissed with prejudice.**

D03-09-029 09/04/2003	A.00-09-002	PACIFIC GAS AND ELECTRIC COMPANY to establish distribution performance standards, a permanent revenue-sharing mechanism for new non-tariffed products and services, and ratemaking for proceeds from sales or transfers of certain non-generation-related utility property under Section 851. <b>Dismissed.</b>
D03-09-030 09/04/2003	A.03-06-028	COLORADO COMMUNICATIONS NETWORK, INC. for Registration as an Interexchange Carrier Telephone Corporation pursuant to the provisions of Public Utilities Code Section 1013. <b>Granted as set forth. This proceeding is closed.</b>
D03-09-031 09/04/2003	A.03-06-019	SKY TELECOM, INC. for Registration as an Interexchange Carrier Telephone Corporation pursuant to the provisions of Public Utilities Code Section 1013. <b>Granted as set forth. This proceeding is closed.</b>
D03-09-032 09/04/2003	A.03-06-008	MOUNTAIN TELECOMMUNICATIONS, INC. for Registration as an interexchange Carrier Telephone Corporation pursuant to the Provisions of Public Utilities Code Section 1013. <b>Granted as set forth. This proceeding is closed.</b>
D03-09-033 09/04/2003	A.03-04-005	DTC COMMUNICATIONS for Registration as an Interexchange Carrier Telephone Corporation pursuant to the provisions of Public Utilities Code Section 1013. <b>Granted as set forth. This proceeding is closed.</b>
D03-09-034 09/04/2003	A.03-04-026	MIKO TELEPHONE COMMUNICATIONS, INC. for Registration as an Interexchange Carrier Telephone Corporation pursuant to the provisions of Public Utilities Code Section 1013. <b>Granted as set forth. This</b>

**proceeding is closed.**

D03-09-035 09/04/2003	A.03-05-029	NORVERGENCE, INC. for Registration as an Interexchange Carrier Telephone Corporation pursuant to the provisions of Public Utilities Code Section 1013. <b>Granted as set forth. This proceeding is closed.</b>
D03-09-036 09/04/2003	A.03-06-012	INTERNATIONAL TELEPHONE, INC. for Registration as an Interexchange Carrier Telephone Corporation pursuant to the provisions of Public Utilities Code Section 1013. <b>Granted as set forth. This proceeding is closed.</b>
D03-09-037 09/04/2003	A.03-06-011	INTELECOM SOLUTIONS, INC. for Registration as an Interexchange Carrier Telephone Corporation pursuant to the provisions of Public Utilities Code Section 1013. <b>Granted as set forth. This proceeding is closed.</b>
D03-09-038 09/04/2003	A.03-05-033	THRESHOLD COMMUNICATIONS, INC. for Registration as an Interexchange Carrier Telephone Corporation pursuant to the provisions of Public Utilities Code Section 1013. <b>Granted as set forth. This proceeding is closed.</b>
D03-09-039 09/04/2003	A.03-06-035	AMERICAN LONG LINES, INC. for Registration as an Interexchange Carrier Telephone Corporation pursuant to the provisions of Public Utilities Code Section 1013. <b>Granted as set forth. This proceeding is closed.</b>
D03-09-040 09/04/2003	A.03-05-001	BUSINESS NETWORK LONG DISTANCE, INC. for Registration as an Interexchange Carrier Telephone Corporation pursuant to the provisions of Public Utilities Code Section 1013. <b>Granted as set forth. This proceeding is closed.</b>
D03-09-041 09/04/2003	A.03-06-023	G2 SOLUTIONS, LLC for registration as an interexchange carrier telephone corporation

		pursuant to the provisions of Public Utilities Code Section 1013. <b>Granted as set forth. This proceeding is closed.</b>
D03-09-042 09/04/2003	A.03-04-013	US FIBERCOM, INC. for Registration as an Interexchange Carrier Telephone Corporation pursuant to the provisions of Public Utilities Code Section 1013. <b>Granted as set forth. This proceeding is closed.</b>
D03-09-043 09/04/2003	A.03-05-030	NATIONAL ACCESS LONG DISTANCE, INC. for registration as an interexchange carrier telephone corporation pursuant to the provisions of Public Utilities Code Section 1013. <b>Granted as set forth. This proceeding is closed.</b>
D03-09-044 09/04/2003	A.03-05-031	INMATE CALLING SOLUTIONS, LLC for Registration as an Interexchange Carrier Telephone Corporation pursuant to the provisions of Public Utilities Code Section 1013. <b>Granted as set forth. This proceeding is closed.</b>
D03-09-045 09/04/2003	A.03-04-017	CHUNGHWA TELECOM GLOBAL, INC. for registration as an interexchange carrier telephone corporation pursuant to the provisions of Public Utilities Code Section 1013. <b>Granted as set forth. This proceeding is closed.</b>
D03-09-046 09/04/2003	A.03-05-018	LINE SYSTEMS, INC. for Registration as an Interexchange Carrier Telephone Corporation pursuant to the provisions of Public Utilities Code Section 1013. <b>Granted as set forth. This proceeding is closed.</b>
D03-09-047 09/08/2003	A.03-04-014	C III COMMUNICATIONS OPERATIONS, LLC for the transfer of Certificate of Public Convenience and Necessity and Related Assets and Customers. <b>Corrects errors in D03-08-020.</b>
D03-09-048 09/09/2003	A.03-02-024	PHONE HOME, INC. for a Certificate of Public Convenience and Necessity to provide



		competitive Resale Local Exchange and Interexchange Services in the State of California. <b>Dismissed.</b>
D03-09-049 09/10/2003	A.02-08-036	UNIVERSAL BROADBAND COMMUNICATIONS, INC. for Approval of an Asset Purchase Agreement and to Transfer the Certificate of Monarch Communications, Inc., an NDIEC operating in California, to Universal Broadband Communications, Inc. <b>Dismissed.</b>
D03-09-050 09/10/2003	C.03-06-033	OPTIGATE NETWORKS, INC. vs. SBC Advanced Solutions, Inc. and Pacific Bell Telephone Company, for unauthorized charges for local loop circuit installation, in the amount of \$25,079.54. <b>The Fiscal Office shall pay \$11,031.99 to Pacific Bell Telephone Company, in care of Erinn R. W. Putzi; and \$14,047.55 plus any accrued interest to OptiGate Networks, Inc., in care of George Sitts. Dismissed with prejudice and proceeding is concluded.</b>
D03-09-051 09/10/2003	C.01-12-002	CP KELCO U.S., INC. vs. San Diego Gas & Electric Company (U 902-G), for an Order directing defendant to Purchase the energy and capacity produced by complainant's cogeneration unit and made available to defendant at a price equal to defendant's full avoided costs of energy and capacity. <b>Dismissed with and without prejudice.</b>

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**RESOLUTIONS SIGNED ON**

**COMMISSION MEETING OF SEPTEMBER 4, 2003**

**Commissioners Present:**

**Michael R. Peevey, President**

**Carl W. Wood**

**Loretta M. Lynch**

**Geoffrey F. Brown**

**Susan P. Kennedy**

- 9/4/03      ALJ-176-3118      Ratification of preliminary determinations of category for proceedings initiated by application. The preliminary determinations are pursuant to Article 2.5, Rules 4 and 6.1 of the Commission's Rules of Practice and Procedure. **Adopted as set forth in the attachments.**
- G-3351      Advice Letter 3188-A of Southern California Gas Company (SoCalGas). Resolution approving SoCalGas' revisions to its tariffs to comply with D02-08-065 regarding rules for noncore gas customers requesting core service and certain large core customers switching to utility gas procurement. **Adopted as set forth. The protest of Southwest Gas Company is denied.**
- SU-57      Sacramento Regional Transit District (SRTD). Resolution granting SRTD a temporary variance from GO 95 Rule 74.4-F(1) in areas not accessible to the public until the conclusion of OIR 01-10-001. Under this resolution, SRTD need not provide redundant support for its Overhead Contact System in areas not accessible to the public until the Commission concludes the rulemaking proceeding in which it is considering revision of the applicable rule. **Adopted as set forth.**
- SX-58      Los Angeles County Metropolitan Transportation Authority (LACMTA). Resolution granting LACMTA exemption from requirements of Section 7.8 of General Order 75-C, by permitting the silencing of bells on automatic railroad warning devices after the gate arm is lowered, at seven at-grade highway-rail crossings of the Los Angeles to Pasadena Metro Gold Line light rail line, in cities of South Pasadena and Los Angeles, in Los Angeles County. **Adopted as set forth in the appendix.**
- W-4418      Advice Letter 13 of Central Camp Water Company, Inc. Requests authority to secure a loan in the amount of \$24,000 payable within one year, and to add a surcharge to water rates to repay the loan principal and interest. **Granted as set forth in the appendix.**
- W-4419      Advice Letter 23-W of Hat Creek Water Company (HCWC). Resolution authorizing a conversion of ownership of HCWC from sole proprietorship to a limited liability company. **Granted as set forth.**

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| W-4420 | Benbow Water Company (BWC). Resolution authorizing BWC a general rate increase producing additional annual revenue of \$26,633 or 21.2% in 2003. <b>Adopted as set forth in the appendices.</b>  |
| W-4421 | Advice Letter 15 of Watertek, Inc., Oak Hills District. Requests authorization for recovery of unanticipated expenses. <b>Denied as set forth.</b> Requests authorization for a rate base offset, producing additional revenues of \$795 or 0.3%. <b>Granted as set forth in the appendix.</b> |

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### NOTICE OF DENIAL OF REQUEST FOR EX PARTE MEETING

*On September 20, 1996, the Commission adopted Resolution ALJ 169 regarding the "Filing of Notice of Denial of Request for Ex Parte Meeting." The resolution implements an interim procedure whereby a party whose written request for an ex parte meeting with a Commissioner has been denied will be allowed to file a notice of such denial. Copies of Resolution ALJ 169 are available from the Commission's Central Files Office at 505 Van Ness Avenue, Room 2002, San Francisco; telephone (415) 703-2045. **Copies of tendered notices are available in the Central Files Office for review and/or reproduction under existing procedures. They are also available from the filing party who is under the obligation to provide copies of the notice without delay.***

NONE

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### NOTICE OF ALL-PARTY MEETINGS (PU Code § 1701.3(c))

#### All-Party Meeting – R00-02-004

September 24, 2003  
1 pm – 5 pm

California Public Utilities Commission  
505 Van Ness Avenue, Auditorium  
San Francisco

There will be an all-party meeting with Commissioners Geoffrey F. Brown and Susan P. Kennedy regarding R00-02-004 Proposed Consumer Protection Rules. The Commissioners wish to review with parties each proposed rule. All parties are invited to attend. Commissioners Brown and Kennedy will not meet individually on this matter. All participants must provide the names of individuals who will be participating, their affiliation, and telephone/fax number to be reached in the event of changes to this meeting. Please contact Vana White at (415) 703-1407 or e-mail her at vfw@cpuc.ca.gov NO LATER than the end of business on Tuesday, September 23, 2003, so that there is adequate time to advise the Commissioner's office of the attendees.

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**NOTICE OF EX PARTE COMMUNICATIONS**

*Copies of tendered notices are available in the Central Files Office for review and/or reproduction under existing procedures. They are also available from the filing party who is under the obligation to provide copies of the notice without delay.*

9/19/03	I93-04-002	Commission Order Instituting Investigation on the Commission's own motion into open access and network architecture development of dominant carrier networks.
	R93-04-003	Commission Order Instituting Rulemaking on Commission's own motion to govern open access to bottleneck services and establish a framework for network architecture development of dominant carrier networks.

**Summary: THIS IS AN AUGMENTED NOTICE OF AN EX PARTE COMMUNICATION THAT WAS FILED ON SEPTEMBER 16, 2003, AND APPEARED IN THE CALENDAR OF SEPTEMBER 19, 2003.** On September 10, 2003, Cathy Boone, Vice President, Covad Communications Company (Covad), met with Lester Wong, advisor to Pres. Peevey, and Jonathan Lakritz, advisor to Cmmr. Wood, in two separate meetings in San Francisco. Also present was Bill Cobb, Senior Counsel, Covad. Boone and Cobb discussed the Federal Communications Commission's Triennial Review Order and the federal appeal of D03-01-077. Specifically, Boone and Cobb noted that the Commission retained the authority to unbundle the HFPL under California law notwithstanding the preemption language in the Triennial Review Order; and asked the Commission to address line splitting operational issues in another docket to ensure these issues were indeed addressed.

**Filer: Covad Communications Company**

**Contact: Camille Estes**

**Phone: (415) 394-7500**

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